



6P 2851

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Attorney Docket: 2098L/49301
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CAROLA BLAESING-BANGERT ET AL.
Serial No.: 09/685,772 Group Art Unit: 2851
Filed: OCTOBER 11, 2000 Examiner: MICHELLE P. NGUYEN
Title: SUBSTRATE HOLDER, AND USE OF THE SUBSTRATE
HOLDER IN A HIGHLY ACCURATE MEASURING
INSTRUMENT

#10
6-3-03
JP

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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In response to the Restriction Requirement dated April 28, 2005, Applicants provisionally elect with traverse Group I, containing Claims 1-22 drawn to the substrate holder and the use of a substrate holder.

Applicants respectfully traverse this restriction requirement. The Examiner maintains that "the process as claimed can be practiced by another apparatus such as a step and repeat apparatus for transferring a predetermined pattern formed on a mask onto a substrate". Applicants point out, however, that the claimed process (claim 23) is a method for determining the thickness deviation of a substrate from a predefined standard thickness. A "step and repeat apparatus for transferring a predetermined pattern formed on a mask onto a substrate" does not practice Applicants' method of determining a

thickness deviation but, rather, merely images a pattern onto a substrate. As such, because Applicants' apparatus, i.e. a substrate holder 8, is a necessary component in order to determine the thickness deviation by focusing on the flat upper surface of the substrate holder and then on the surface of the substrate to determine the deviation, a step and repeat apparatus does not provide any structure to practice the claimed method. Hence, Applicants submit claims 23-28 are not properly the subject of a restriction requirement.

Along with the restriction requirement, Applicants submit herewith a preliminary amendment adding claim 29, which is similar to method claim 23 but recites the details of the substrate holder in accordance with elected claim 1. Hence, should the Examiner maintain the restriction requirement, it is respectfully submitted claim 29 should also be examined.

In view of the foregoing, Applicants submit all claims 1-29 should be examined.

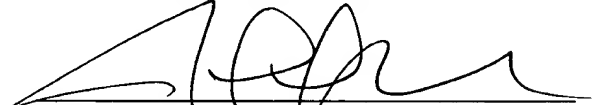
If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit
Account No. 05-1323 (Docket #2098L/49301).

May 27, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey D. Sanok', written over a horizontal line.

Jeffrey D. Sanok
Registration No. 32,169

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PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Please enter the following amendments to the claims prior to the
examination of the application.

05/28/2003 EFLORES 00000103 051323 09685772

01 FC:1201 84.00 CH
02 FC:1202 18.00 CH